

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated July 14, 2004, indicated that the drawings are objected to; claim 27 is objected to for informalities; claims 1-17, 19-25, 27 and 28 are rejected under 35 U.S.C. § 102(e) over *Fruehling et al.* (U.S. Patent No. 6,625,688B1); and claims 18 and 26 are rejected under 35 U.S.C. § 103(a) over *Fruehling* in view of *Kim et al.* (U.S. Pbln. No. 20020138678A1).

With respect to the drawings, Applicant's records indicate that both Figs. 1 and 2 were filed as part of the Submission of Formal Drawings on January 2, 2002. As the Examiner indicates only Figure 1 was received, Applicant has enclosed a copy of Figure 2. The enclosed Figure 2 is a copy of the Figure 2 filed as part of the Submission of Formal Drawings on January 2, 2002, and does not include any changes or amendments to the figure. Applicant accordingly requests that the objection to the drawings be removed.

Regarding the objection to claim 27, Applicant respectfully traverses because claim 27 properly depends from claim 26. The Examiner asserts that the claim language "test-traffic type" is not present in claim 26, but rather, is found in claim 22. Claim 26 depends from claim 22 and thus contains the claim language "test-traffic type" through this dependency. Therefore, claim 27 properly depends from claim 26 and indirectly from claim 22. Applicant respectfully requests that the objection to claim 27 be removed.

Applicant respectfully traverses each of the prior art rejections, Section 102(e) and Section 103(a), because the Office Action fails to present a reference that corresponds to the claimed invention. The Office Action fails to identify teachings in the '688 reference that correspond to the claimed state machine circuitry, and more specifically, to circuitry "adapted to generate test-traffic on the digital data path." The Office Action at page 4, erroneously asserts that the '688 bus control logic 72 corresponds to the claimed state machine circuitry. The '688 bus control logic 72 appears to be coupled to a control bus and not the data bus of Figure 2. Applicant assumes the Examiner is not asserting that the '688 control bus 70 corresponds to the claimed digital data path in view of the claimed operation of the state machine circuitry. Moreover, the bus control logic 72 (asserted state machine circuitry) is not coupled between a memory arrangement, data-generation circuit and digital

data path as is required (*see* claim 1). Further, the Office Action fails to assert any correspondence to the claimed memory arrangement. Without a presentation of correspondence to each of the claimed limitations, the Section 102(e) and 103(a) rejections cannot be maintained. Accordingly, Applicant requests that the rejections be withdrawn.

With particular respect to claims 22 and 28, the Office Action fails to identify any teachings in the '688 reference that correspond to the claimed limitations. For example, the Office Action fails to identify where the '688 reference teaches a dedicated test-traffic source including being coupled to a digital data path; storing programmable commands indicative of at least one of test-traffic type, pattern, and behavior; generating test-traffic on the digital data path; and monitoring the digital data path for the test-traffic. The Office Action fails to present correspondence between each of the claimed limitations and the '688 reference; therefore, the rejections are improper and Applicant requests that the rejections be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Mr. Peter Zawilski, of Philips Corporation at (408) 474-9063.

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